

thanks of the Senate be and they are hereby tendered to the officers of the Senate for the able and faithful manner with which they have discharged their duties. Adopted.

Thursday, May 26, 1864

8 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

The Committee on Enrolled Bills reported as follows:
Honorable F. S. Stockdale, President of the Senate:

The Committee on Enrolled Bills has examined and find correctly enrolled the following bills, viz.,

Joint resolution in reference to sick and wounded soldiers in Arkansas and Louisiana.

An act for the relief of Robert Pulsford.

An act to incorporate the Dallas Manufacturing Company. The same being signed by the Speaker of the House of Representatives and President of the Senate were this day presented to the Governor for his approval.

D. C. Dickson, Chairman

The Committee on Military Affairs through Mr. Jowers reported a substitute for a joint resolution requesting the return of the 1st, 4th, and 5th Texas Regiments. The resolutions were taken up. Read 2nd time. Substitute of Committee adopted. Resolution passed to 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Lea, Chairman of Finance Committee, made the following report:¹⁰

A message from House announced the passage of the following bills:

A bill to permit unlawful interference with private property or private rights.

A bill to incorporate the West Texas Manufacturing Company.

Senate joint resolution on impressment.

Senate bill to define and punish unlawful interference with the exportation and transportation of cotton with amendments which were concurred in.

A bill supplementary to an act to regulate proceedings in County Court pertaining to estates of deceased persons.

A bill to authorize the military board to purchase drugs

¹⁰Ibid.

and medicines for the use of the families of officers and soldiers.

A bill to amend 3rd section of an act to provide for the support of families and dependents of soldiers.

A bill to further provide for the payment of interest on public debt.

Senate joint resolution relative to sale of cards, and had refused to adopt Conference Committee report on a bill to supply deficiency in State Treasury which was afterwards announced as having been reconsidered and a Committee of Free Conference appointed consisting of Messrs. Reid, Banton, Birdwell, Slaughter, and Hunt.

A bill to transfer State Troops to Confederate States Service and to repeal an act to provide for the defense of the State.

The Committee on State Affairs reported recommending the passage of a bill to incorporate the San Marcos Manufacturing Company, with amendments.

1st Section. Strike out "property real and personal" and insert "personal property and such real estate as may be necessary to carry out the purposes of the corporation." Amend the 8th [?] Section by adding "according to law."

Amend 6th Section by striking out all that part exempting machinery from taxation.

Mr. Ford offered a resolution (requiring concurrence of the House) the object of which is to raise a select joint committee to investigate fully the acts of the Military Board. Informally passed over at present.

Mr. Guinn introduced joint resolutions of thanks to Messrs. Ball, Hutchings and Company. Read 1st time. Rule suspended. Read 2nd time.

Mr. Throckmorton, Chairman of Committee on Military Affairs, made the following report:
Honorable F. S. Stockdale, President of the Senate:

The Committee on Military Affairs have considered a bill authorizing the Governor to appoint persons to represent the interests of the State, and that of the soldiers and citizens of Texas, at the headquarters of General Smith and Major General Magruder.

The Committee report a bill as a substitute, and recommend its passage. The Committee believe that such a course will be of much benefit. Some one who has directly in charge the interest of the state should be at these inspec-

tion headquarters so as to keep the Governor advised of all questions of interest and movements of armies likely to affect the State. And in addition to this, great assistance could be rendered to many of our soldiers and citizens in an attending to their wants, and putting their claims or petitions in proper shape to be acted upon.

J. W. Throckmorton, Chairman

Report taken up and substitute adopted and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

Mr. Hord introduced a bill to define the unlawful introduction and pasturage of stock. Read 1st and 2nd times and referred to State Affairs. Also joint resolution relative to printing the Constitution of the State and of the Confederate States. Referred to Committee on Printing.

Mr. Montague introduced a joint resolution relative to the withdrawal from the line of the Frontier Regiment. Read 1st time. Rule suspended. Read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed.

A bill to incorporate the San Marcos Manufacturing Company was taken up. Read 2nd time and passed by constitutional majority, Mr. Peck voting nay.

A bill to incorporate the Star State Manufacturing Company. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Guinn moved to reconsider the vote taken yesterday adopting the report of the Committee of Conference on a bill to supply the deficiency in the State Treasury as a further conference was desirable. Such conference was directed to be held by the committee already appointed for that object.

A bill to incorporate the Guadalupe Manufacturing Company. Read 2nd time. Substitute of Committee on State Affairs adopted and passed to 3rd reading. Rule suspended. Read 3rd time and passed by constitutional majority, Mr. Peck voting nay.

Mr. Guinn was excused from attendance on Conference Committee and by the Senate's action Mr. Jordan was appointed in his stead.

The Committee on Enrolled Bills have examined and find correctly enrolled the following bills, viz.,

An act to provide for the revision of the laws.

An act to regulate the conception and disposal of Confederate Notes and Bonds now and hereafter in the Treasury.

The same being signed by the presiding officers of both houses of the Legislature were this day presented to the Governor for his approval.

D. C. Dickson

A bill to provide for the support of the Lunatic, Deaf and Dumb and Blind Asylums. Read 2nd time and referred to Committee on Finance.

A bill to provide for the probate of wills in certain cases. Read 2nd time. Report of Judiciary Committee recommending rejection of the bill adopted.

A bill to amend 1st section of an act regulating juries. Read 2nd time. Report of Judiciary Committee recommending its rejection. Adopted.

Joint resolution relative to conscription. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading. Rule further suspended. Read 3rd time and passed.

A bill supplementary to an act to regulate proceedings in County Courts pertaining to the estates of deceased persons. Read 1st time. Rule suspended. Read 2nd time and passed to 3rd reading.

A bill to punish unlawful interference with private property or private rights. Read 1st time and referred to Committee on Judiciary.

Mr. Hartley made the following report:

Austin, May 26, 1864

To the President of the Senate:

The Committee to which was referred a bill to be entitled an act to set apart the proceeds of land scrip sold by Commissioner of the General Land Office for the benefit of the citizens of the State who shall have received an honorable discharge, having duly considered the same, unanimously recommend the passage of the bill with the following amendments:

1. In the sixth line before "funds," insert "pension."
2. At the close of the 2nd section, add "subject to future legislation on the subject."

The Committee consider it unnecessary to go at length into the advocacy of the bill inasmuch as the Senate by

the creation of the Committee indicated its concurrence in the propriety of the passage of a bill embodying the substance of the referred. The Committee, however, begs leave to say that at the last session of this legislature an act was passed inhibiting locations and the sale of land scrip, after the example of the government in our first revolution, in order that those absent in the Army might not be forestalled in their selections from the public domain by those who remained at home. At this session controlling views of finance have resulted in the passage of a bill through the Senate providing for the sale and location of land scrip. A sense of justice and every generous feeling that animates our hearts would dictate that while those who remain at home and are able to take benefits under this bill in making desirable investments and securing valuable locations, consideration should be had for those who are absent from home and business shedding their blood on the field of battle.

The immense debt with which the Confederate States will come out of the present war and the vast number of widows and orphans and disabled soldiers which it shall have caused, will preclude the Confederate States from granting liberal pensions. It will not probably be able to afford that full measure of relief of which such objects are so deserving. In view of this fact the Committee considers it eminently proper that the State should be prepared to afford such additional relief to the persons indicated as may be proper, in order that they may live not only in the enjoyment of the liberty which they have done and suffered so much to gain, but all the comforts of life which a grateful country is able to bestow. This the State in view of her public domain and her being comparatively free from debt, is able to promise herself. The State has already adopted the policy of the creation of special funds for sacred objects and the Committee believes that none could be more sacred than the one embraced in the bill under consideration. The Committee considers that there is a peculiar fitness in embracing the opportunity to inaugurate the creation of such a fund, afforded by the present change of policy providing for the sale and location of land scrip, and trusts that the bill will pass unanimously.

Respectfully submitted,
R. K. Hartley, Chairman

A bill to provide for the payment of the interest on the public debt of the State. Read 1st time and referred to Finance Committee.

A bill to amend the act to provide for the support of the families and dependents of soldiers. Read 1st time and referred to State Affairs.

A bill to authorize the Military Board to purchase drugs and medicines for certain purposes. Read 1st time and referred to Military Affairs.

A bill for relief of indigent families of Calhoun County was read 2nd time and referred to State Affairs with instructions to inquire into the propriety of extending similar relief to other counties.

A bill to prohibit the sale of ardent spirits within five miles of Waxahachie. Read 2nd time and referred to State Affairs Committee.

The Senate then adjourned until $\frac{1}{2}$ past 3 o'clock P.M.

3 $\frac{1}{2}$ o'clock P.M.

Senate met. Roll called, quorum present.

The Committee on Enrolled Bills reported as follows:
Honorable F. S. Stockdale, President of the Senate:

The Committee on Enrolled Bills has examined and find correctly enrolled the following bills, viz., joint resolutions concerning the acts of the Confederate Congress to regulate impressments and abuses under the same joint resolution in reference to cotton cards. The same being signed by the presiding officers of the two houses of the legislature were this day presented to the Governor for his approval.

D. C. Dickson, Chairman

A bill to amend Article 820 of the Penal Code. Read 3rd time and passed.

Mr. Harcourt, Chairman of the Judiciary Committee, made the following report:

The Judiciary Committee has duly considered a House bill to amend the 965th Article of the Code of Criminal Procedure.

The amendment proposed is to authorize the Coroner or Justice when he may deem it necessary to have a post mortem examination to employ a physician to make the same, who shall receive a fee of \$20, to be paid out of the

county treasury. The Committee believe that in such cases there will always be enough interest felt by the friends of the deceased to induce them to employ a surgeon when any good result is likely to be accomplished.

I am instructed by the Committee to report the bill back with the recommendation that it be indefinitely postponed.

John T. Harcourt, Chairman

He also recommended the passage of a bill supplemental to and amendatory of an act to establish a penal code.

Mr. Hartley moved to take up report made by him this morning and the bill therein referred to. Lost.

The following message from the Governor was read (calling attention to Tonkawa Indians).¹¹

Referred to the Committee on Military Affairs.

Joint resolutions relative to the suspension of the privilege of the writ of *Habeas Corpus* read 2nd time. The Senate resolved itself into Committee of the Whole. Mr. Jowers in the chair. After some time spent therein the Committee rose, reported progress and asked leave to sit again tomorrow at 10 o'clock A.M.

The resolutions by Mr. Ford this morning relative to investigating the acts of the Military Board were on motion taken up, considered, and adopted.

A bill to incorporate Falls of Brazos Manufacturing Company was read 2nd time. Amendment of the Committee of State Affairs adopted and passed to 3rd reading.

The Committee on Enrolled Bills reported as follows:
Honorable F. S. Stockdale, President of the Senate:

The Committee on Enrolled Bills has examined and find correctly enrolled the following bills, viz.,

An act to prevent slaves from exercising pretended ownership over property.

An act to incorporate the Trinity Mills Manufacturing Company.

Both of which being signed by the President of the Senate and Speaker of the House of Representatives were this day presented to the Governor for his approval.

D. C. Dickson, Chairman

The report of Finance Committee on a bill amending

¹¹Ibid.

act authorizing the Comptroller of the State to receive from railroad companies the interest due on their bonds was taken up and adopted and bill passed to 3rd reading. Rule suspended. Read 3rd time and passed.

The Senate then adjourned until 8 o'clock A.M. tomorrow.

Friday, May 27, 1864

8 o'clock A.M.

Senate met. Prayer by the Chaplain. Roll called, quorum present. The Journal of yesterday was read and adopted.

The Committee on State Affairs through Mr. Kinsey recommended the passage of a bill to prohibit the sale of ardent spirits within the town of Waxahachie. The same committee through Mr. Davis reported a bill for the relief of the indigent families of Calhoun County and recommended the adoption of the following amendments:

To the Honorable F. S. Stockdale, President of the Senate:

The Committee on State Affairs, to whom was referred a bill to be entitled an act for the relief of the indigent families of Calhoun County, with instructions to inquire into the expediency of extending the provisions of said act to other counties, respectfully submit that they have duly considered the subject, and find the counties of Refugio, San Patricio, and Nueces equally entitled to the relief asked in the bill for the county of Calhoun, as granted by former legislation to the county of Galveston. They therefore report the bill back to the Senate, with the following amendments and recommend its adoption.

1st. That the word "county" be stricken out of the title of the bill and "Refugio, San Patricio, and Nueces counties" be added.

2nd. That the word "county," where it occurs in the latter part of the 1st section of the bill, be also struck out, and "Refugio, San Patricio, and Nueces counties" be added.

Davis

One of the Committee

Mr. Cooley introduced a bill for the relief of Lt. W. H. Cochran, A.A.C.S. Mounted Regiment, Texas State Troops. Read 1st and 2nd times and referred to Committee on State Affairs.